

# **FISCAL NOTE - CAPTION BILL**

## **HB 69 - SB 569**

April 26, 2001

**CAPTION BILL:** Fiscal note reflects amendment filed to lift bill from House Clerk's desk (#005881).

**SUMMARY OF BILL:** Deletes the statutory provisions regarding the caps (\$100/day; \$500/total) on compensation paid to attorneys for representing indigent defendants in judicial mental health proceedings. In the absence of this provision, compensation for indigent defense claims for mental health proceedings will be governed by Rules of the Supreme Court. Current rules provide a \$40 rate per hour for trial preparation and \$50 per hour for court time, with a cap of \$500 per case.

### **ESTIMATED FISCAL IMPACT:**

**Other Fiscal Impact - Fiscal impact depends on whether rules established by the Supreme Court results in increases in attorney's compensation that would not have occurred in the absence of the bill. The amount of any such increases cannot be determined but is estimated to be less than \$100,000 in the short term, based on the current average cost of \$51.66 per case. The long-term fiscal impact of the bill cannot be determined.**

For information purposes, in 1999-2000, there were 25,094 indigent defense claims submitted for judicial mental health proceedings at an average cost of \$51.56, (\$1,293,775.58 total cost divided by 25,094 indigent claims).

### **CERTIFICATION:**

This is to duly certify that the information contained herein is true and correct to the best of my knowledge.



James A. Davenport, Executive Director

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